



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/620,043	07/15/2003	Donald D. Foster	66179-41542	7526
21888	7590	01/13/2009	EXAMINER	
THOMPSON COBURN, LLP			CARTAGENA, MELVIN A	
ONE US BANK PLAZA				
SUITE 3500			ART UNIT	PAPER NUMBER
ST LOUIS, MO 63101			3754	
			NOTIFICATION DATE	DELIVERY MODE
			01/13/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

IPDOCKET@THOMPSONCOBURN.COM



UNITED STATES DEPARTMENT OF COMMERCE  
U.S. Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10620043	7/15/03	FOSTER ET AL.	66179-41542

EXAMINER

MELVIN A.. CARTAGENA

ART UNIT	PAPER
----------	-------

3754                  20090105

DATE MAILED:

Commissioner for Patents

The Board of Patent Appeals and Interferences affirmed the rejection(s) against independent claim(s) 26, 33, 34, 43, 47 and 48, but reversed all rejections against claim(s) 35, 36-42, 44-46 and 49 dependent thereon. The independent claim(s) is/are cancelled by the examiner in accordance with MPEP § 1214.06. Applicant is given a ONE MONTH TIME PERIOD from the mailing date of this letter in which to present the dependent claim(s) in independent form. NO EXTENSIONS OF TIME UNDER 37 CFR 1.136(a) WILL BE GRANTED. Failure to comply will result in cancellation of the dependent claims and the application will be allowed with claim(s) 36-42. Prosecution is otherwise closed.

/Kevin P. Shaver/  
Supervisory Patent Examiner, Art Unit 3754

/Melvin A. Cartagena/  
Examiner, Art Unit 3754